**Mature age applicant risk assessment guide**

This guide is designed to assist mature age state school principals assess if a prospective mature age student poses an unacceptable risk to the safety or wellbeing of members of the school community.

Prospective mature age students may not be enrolled until a criminal history check is requested and reviewed.

If an applicant’s criminal history is clear (i.e. they have no recorded criminal history) and they are otherwise eligible for enrolment (e.g. they have a remaining allocation of state education), their enrolment may be made active in OneSchool and the applicant can be notified.

If an applicant does have a criminal history, further information should be requested from the Queensland Police Service where:

* there are serious offences
* the offences would cause concern if the applicant became a student at the school
* the offences are recent
* there is an extensive history or a pattern of offending.

If, after consideration of the applicant’s criminal history and any other relevant information, the applicant is deemed to pose an unacceptable risk to the safety or wellbeing of members of the school community, the enrolment decision must be referred to the director-general following the [Refusal to enrol](https://ppr.qed.qld.gov.au/pp/refusal-to-enrol-risk-to-safety-or-wellbeing-procedure) procedure.

Applicants that are refused enrolment or where an applicant’s principal place of residence is at least **16 kilometres** from a mature age state school are eligible to attend a [School of distance education](https://education.qld.gov.au/schools-educators/distance-education) without incurring fees.

# Risk assessment

A prospective mature age student’s criminal history is used to inform an assessment of the risk that the applicant may pose to the safety or wellbeing of members of the school community.

Throughout the decision-making process, the applicant must be afforded natural justice, namely; the right to be heard, the absence of bias, and procedural fairness.

For offences listed in the applicant’s criminal history, the principal mustconsider the following for **each** conviction or charge:

1. Whether the offence is a serious offence.
2. When the offence was committed or is alleged to have been committed.
3. The nature of the offence and its relevance to the person being a mature age student of the school.
4. For a conviction – whether a penalty was imposed, and the nature of the penalty.
5. **Whether the offence is a serious offence**

Serious offences

Serious offences are defined in s.167 and Schedule 2 or 3, column 1 (subject to any qualification described in column 3) of the *Working with Children (Risk Management and Screening) Act 2000* (Qld)*.* Where an applicant’s criminal history contains one or more convictions for a serious offence, the principal should request additional information from the Queensland Police Service.

A serious offence would normally be considered sufficient grounds that the applicant poses an unacceptable risk to the safety or wellbeing of members of the school community, requiring a referral of the application to the director-general to determine whether the enrolment should be refused, unless there is additional information that would suggest that the applicant does not pose an unacceptable risk to the safety or wellbeing of members of the school community.

Offences other than a serious offence

For any offences of concern[[1]](#footnote-1), more information should be requested from the Queensland Police Service. The principal of a mature age state school must assess if the applicant poses an unacceptable risk to the safety or wellbeing of members of the school community, taking into account offences other than a serious offence and other details provided in points B, C and D, below.

1. **When the offence was committed or is alleged to have been committed**
* How long is it since an offence occurred or is alleged to have occurred?
* What was the age of the applicant at the time of the offending behaviour?
* Is there a pattern of offending behaviour?
* Has the applicant’s circumstances changed since an offence occurred, or is alleged to have occurred?
* Is there a discrete period of offending that could be attributable to age or circumstances, followed by a subsequent period of no offending – showing that the underlying issues may have been resolved?
* Are there offences that are very recent and have not yet been dealt with by the courts?
1. **The nature of the offence and its relevance to the person being a mature age student of the school**

Where an applicant has been charged and/or convicted of an offence that is not a serious offence consider:

* + What the offence indicates about the character of the applicant and any potential risk to the safety or wellbeing of the school community if they were to attend classes at the school, for example:
		- Are the offences of a violent nature?
		- Do the offences indicate that the applicant has a propensity to disregard rules or directions from authority figures (for example police)?
		- Is there a pattern of offending that is either recent or sustained over a number of years?
* What were the circumstances of the offence? (For example, were there a large number of offences committed over a short period of time? Were there multiple victims?)
* What is the nature, gravity and circumstances (where known) of the offence and how is this relevant to the applicant being enrolled as a student at the school?
* Was the victim/alleged victim of the offence a young person or child?
* Are there various types of offences, or are all the offences seemingly related to a particular issue for example drug related offences or stealing?
1. **For a conviction – whether a penalty was imposed, and the nature of the penalty**

Consider if the offence resulted in a conviction and, if so, what the penalties/outcomes were (for example, did the penalty result in imprisonment, fines, community service).

# Other relevant information

Consider the applicant’s history of school disciplinary consequences such as suspension, exclusion or cancellation of enrolment (if known). This information can also be obtained from the Student Data Transfer Note, if available or requested from the last school the applicant attended.

Prospective mature age students with a criminal history may also be able to provide supporting information to the school to assist the school in making an informed decision on their enrolment. Examples of other relevant information include:

* the support of the coordinator of the school’s mature age student program
* information regarding the applicant seeking assistance from support services
* evidence or information that the applicant has committed to efforts of reform.

# Refusal to enrol – Risk to safety or wellbeing

If the principal reasonably believes that the applicant poses an unacceptable risk to the safety or wellbeing of members of the schools community, the [Refusal to enrol](https://ppr.qed.qld.gov.au/pp/refusal-to-enrol-risk-to-safety-or-wellbeing-procedure) process must be commenced.

1. a violent offence, an offence that suggests the applicant has difficulty complying with authority, an extensive number of offences, a recent offence, and/or a pattern of offending [↑](#footnote-ref-1)